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6/16/01  
C. Steffe  
Docket No. 2976-4032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Reissue of: U.S. Patent No. 5,767,115

Applicants: Rosenblum et al.

Serial No.: 09/594,996

Group Art Unit: 1624

Filed: June 15, 2000

Examiner: Berch, M.

Granted: June 16, 1998

For: Hydroxy-Substituted Azetidinone  
Compounds Useful As  
Hypocholesterolemic Agents

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO THE EX PARTE QUAYLE ACTION**

Dear Sir:

In response to the *Ex Parte Quayle* action dated March 14, 2001, applicants provide the following amendment and remarks. Applicants have previously filed a petition and fee for one month extension of time, thereby extending the period of response to June 14, 2001. Therefore this response is believed to be timely filed.

**IN THE CLAIMS**

Please amend the claim 10 as follows:

10. (amended) A compound comprising 1-(4-fluorophenyl)-3(R)-[3(S)-(4-fluorophenyl)-3-hydroxypropyl]-4(S)-4-(hydroxyphenyl)-2-azetidinone or a pharmaceutically acceptable salt thereof.